

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FOX VALLEY & VICINITY CONSTRUCTION)	
WORKERS WELFARE FUND, <i>et al.</i> ,)	
)	
Plaintiffs,)	CIVIL ACTION
)	
vs.)	NO. 12 C 2823
)	
MOSLEY CONSTRUCTION, INC., an Illinois)	JUDGE SHARON JOHNSON COLEMAN
corporation, and JOBIE J. MOSLEY, an individual,)	
)	
Defendants.)	

PLAINTIFFS' MOTION FOR ENTRY OF JUDGMENT

NOW COME Plaintiffs, by and through their attorneys, default having been entered against the Defendant on June 14, 2012, request this Court enter judgment against Defendants, MOSLEY CONSTRUCTION, INC., an Illinois corporation, and JOBIE J. MOSLEY, an individual. In support of that Motion, Plaintiffs state:

1. On June 14, 2012, this Court entered default against Defendants and granted Plaintiffs' request for an order directing an audit of the Defendants' payroll books and records. The Court also entered an order that judgment would be entered after the completion of the audit.

2. On August 29, 2012, Plaintiffs' auditors completed the audit. The audit findings show that the Defendants are delinquent in contributions to the Funds in the amount of \$7,259.15. (See Affidavit of Tracy White).

3. Additionally, the amount of \$1,088.87 is due for liquidated damages and \$72.59 is due for interest. (White Aff. Par. 7). Plaintiffs' auditing firm of Levinson Simon Hein & Bilkey,

P.C. charged Plaintiffs \$1,456.62 to perform the audit examination and complete the report (White Aff. Par. 6).

4. In addition, Plaintiffs' firm has expended the total amount of \$1,752.50 in attorneys' fees and \$445.00 in costs, for a total of \$2,197.50, in this matter. (See Affidavit of Catherine M. Chapman).

5. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$12,074.73.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$12,074.73.

/s/ Cecilia M. Scanlon

Cecilia M. Scanlon
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6288574
Telephone: (312) 236-4316
Facsimile: (312) 236-0241
E-Mail: cscanlon@baumsigman.com

I:\Fvcwj\Mosley Construction\motion-judgment.cms.df.wpd

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 25th day of October 2012:

Mr. Jobie J. Mosley, Registered Agent
Mosley Construction, Inc.
3838 W 7940 N Road
Manteno, IL 60950

Mr. Jobie J. Mosley
3838 W 7940 N Road
Manteno, IL 60950

/s/ Cecilia M. Scanlon _____

Cecilia M. Scanlon
Attorney for Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6288574
Telephone: (312) 236-4316
Facsimile: (312) 236-0241
E-Mail: cscanlon@baumsigman.com